

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

United State of America,)	CASE NO. 1:16 CR 224
)	
Plaintiff,)	JUDGE PATRICIA A. GAUGHAN
)	
Vs.)	
)	
Bogdan Nicolescu, <i>et al.</i> ,)	<u>Order</u>
)	
Defendants.)	

This matter is before the Court upon the Joint Unopposed Motion to Continue Trial, Final Pretrial, and Related Motion Deadlines (Doc. 78). The government is not opposed to the requested continuance.

Defendants Nicolescu and Radu Miclaus move the Court for the **fourth** extension of the trial date in this matter. This case is now nearly two years old. The Court previously continued the trial on three separate occasions for a total of **twelve** months. In the most recent motion, the moving defendants indicate that a fourth extension is necessary to “continue” to review the large amounts of discovery provided by the government. But, the motion wholly fails to explain why the parties believed in their three previous motions that they would be trial-ready by the dates

they previously proposed. In addition, defendants argue that one co-defendant is cooperating with the government and, as such, “attorneys for the government have stated that much more discovery will be forthcoming.” The government does not oppose defendants’ characterization of the status of discovery. The Court is at a complete loss as to how “much more” discovery could be forthcoming simply from a defendant agreeing to cooperate. Regardless, the instant motion is completely devoid of any indication as to why the multiple previous extensions, which provided over seventeen months for discovery, are insufficient. Nor do the defendants or the government suggest how much more time is required. In fact, the motion does not even propose a trial date. And, as this Court has previously noted, the Court cannot easily accommodate the scheduling of a four-week trial.

The Court has grave reservations about granting this motion. As opposed to denying it outright, the Court will allow supplemental briefing in support of a continuance. All parties may file briefs further explaining their positions. The parties’ request for a telephonic status conference is DENIED.

IT IS SO ORDERED.

/s/ Patricia A. Gaughan
PATRICIA A. GAUGHAN
United States District Judge
Chief Judge

Dated: 8/15/18